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CITY AND COUNTY OF SAN FRANCISCO,
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and DAN PHILLIPS

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CATHERINE JONES,

Plaintiff,

vs.

CITY AND COUNTY OF SAN
FRANCISCO, et al.,

Defendants.

Case No. 11-cv-04884 LB (MEJ)

**STIPULATION AND ~~(PROPOSED)~~ ORDER
VACATING SETTLEMENT CONFERENCE**

Current Sett. Conf. Date: June 18, 2013, 1:00 pm
Trial Date: September 16, 2013

The parties stipulate to an order vacating the settlement conference set for June 18, 2013 in this matter.

RECITALS

A. On February 25, 2013, this Court filed its Notice of Continuance of Settlement Conference, re-setting the settlement conference date for June 18, 2013, at 10:00 a.m. (Dkt. 31.)

B. On March 28, 2013, defendants filed a motion for summary judgment. In the course of a telephone conference concerning that motion on June 3, 2013, among counsel and Magistrate Judge

1 Beeler, after previous adjustments of the hearing date on defendants' motion, the Court reset the
 2 hearing date on the motion from June 6 to June 20, 2013. In discussing the issue of an appropriate
 3 hearing date, Judge Beeler raised the subject of the value and timing of the upcoming settlement
 4 conference. Plaintiff's counsel stated he was pessimistic that the settlement conference could lead to a
 5 resolution while the summary judgment motion remained to be heard. Defendant's counsel concurred.

6 C. Based on counsel's assessments, Judge Beeler agreed that it would be appropriate to
 7 seek an order by Judge James vacating the settlement conference, and authorized counsel to represent
 8 her view to Judge James.

9 D. Trial in this matter is set for September 16, 2013.

10 **STIPULATION**

11 In the interest of promoting economy and efficiency for the Court and the parties, and avoiding
 12 a settlement conference that the parties believe has little prospect of yielding a settlement, at least at
 13 this juncture, the parties stipulate to the entry of an order vacating the June 18, 2013 settlement
 14 conference, without prejudice to the right of either party to seek the setting of a settlement conference
 15 at a later date on which the Court is available, after the hearing on the pending summary judgment
 16 motion.

17
 18 Dated: June 4, 2013

DENNIS J. HERRERA
 City Attorney

19
 20 By: /s/ Donald P. Margolis
 DONALD P. MARGOLIS
 Deputy City Attorney
 Attorneys for Defendants

21
 22 Dated: June 4, 2013

THE LAW OFFICES OF ROBERT R. POWELL

23 By: /s/ Dennis Ingols
 DENNIS INGOLS
 Attorneys for Plaintiff

ORDER

Pursuant to the parties' stipulation, it is hereby ordered that the settlement conference scheduled for June 18, 2013 is VACATED, subject to the right of any party to request a rescheduled settlement conference after the hearing on the motion for summary judgment, and subject to the availability of a suitable date on the Court's calendar for a settlement conference.

IT IS SO ORDERED.

Dated: June 4, 2013

By: 
HON. MARIA-ELENA JAMES
UNITED STATES MAGISTRATE JUDGE